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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,343	03/11/2004	Kurt E. Spears	10011893-6	9926

7590 07/13/2005  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

DONG, DALEI

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/800,343	Applicant(s) SPEARS, KURT E. <span style="float: right;">(Signature)</span>	
	Examiner Dalei Dong	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.  
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 20-29 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 20-29 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. The Amendment filed June 20, 2005 has been entered and acknowledged by the Examiner. The Amendment filed June 20, 2005, overcome the Non-Final Rejection issued on March 16, 2005, and a new rejection is set forth below.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 20-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,512,798 to Honda of record in view of Japan Patent No. 7-21820 to Kojima of record.

Regarding to claim 20, Honda discloses in Figures 1-5, an illumination source comprising: a linear tube (1) having a continuous non-uniform distribution of a luminescent substance (6) disposed thereon.

However, Honda does not specifically disclose the non-uniform distribution luminescent substance produce a non-uniform radiation intensity profile along a length of the linear tube.

Kojima teaches the difference in thickness of the luminescent substance produces different radiation intensity.

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the continuous non-uniform luminescent substance of Honda to produce a non-uniform radiation intensity profile along a length of the linear tube.

Regarding to claim 21, Kojima discloses in Figures 1-5, the distribution having a greater density at opposite ends (shown in Figure 4) of the tube (12), and the motivation to combine is the same as above.

Regarding to claim 22, Kojima discloses in Figures 1-5, the tube (12) having an increasing distribution density measured outwardly from a midpoint (shown in Figure 4) of the tube (12), and the motivation to combine is the same as above.

Regarding to claim 23, Kojima discloses in Figures 1-5, the tube (12) having a non-linear distribution of the luminescent substance (14) disposed thereon, and the motivation to combine is the same as above.

Regarding to claim 24, Kojima discloses in Figures 1-5, the tube (12) having a generally constant distribution density about a midsection thereof, and the motivation to combine is the same as above.

Regarding to claim 25, Honda discloses in Figures 1-5, an illumination source manufacturing method comprising: forming a continuous, non-uniform distribution of a luminescent substance (6) on a linear tube (1).

However, Honda does not specifically disclose the non-uniform distribution luminescent substance produce a non-uniform radiation intensity profile along a length of the linear tube.

Kojima teaches the difference in thickness of the luminescent substance produces different radiation intensity.

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the continuous non-uniform luminescent substance of Honda to produce a non-uniform radiation intensity profile along a length of the linear tube.

Regarding to claim 26, Kojima discloses in Figures 1-5, the distribution comprises forming the distribution having a greater density at opposite ends (shown in Figure 4) of the tube (12), and the motivation to combine is the same as above.

Regarding to claim 27, Kojima discloses in Figures 1-5, the distribution comprises forming an increasing distribution density measured outwardly from a midpoint of the tube (12), and the motivation to combine is the same as above.

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Regarding to claim 28, Kojima discloses in Figures 1-5, the distribution comprises forming a non-linear distribution, and the motivation to combine is the same as above.

Regarding to claim 29, Kojima discloses in Figures 1-5, the distribution comprises forming a generally constant distribution density about a midsection of the tube (12), and the motivation to combine is the same as above.

#### *Response to Arguments*

4. Applicant's arguments with respect to claims 20-29 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalei Dong whose telephone number is (571)272-2370. The examiner can normally be reached on 8 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.D.  
July 9, 2005



Joseph Williams  
Primary Examiner  
Art unit 2879